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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MEYER Examiner: M.L. THEISEN
Serial No.: 09/870,055 Group Art Unit: 1732
Filed: May 30, 2001 Docket No.: 13132.3USD1
Title: SPHEROIDAL SLAG AND FLY ASH PARTICLES AND APPARATUS AND PROCESS
FOR PRODUCING SAME

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on December 5, 2002.

By: Paul W. Meyer
Name: PAUL W. MEYER

Commissioner for Patents
Washington, DC 20231

Dear Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 1 reference
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate.

Date: DECEMBER 5, 2002

By: Paul W. Meyer
Name: Paul W. Meyer

BLACK DIAMOND GRANULES, INC.
499 Cottage Grove Drive
Woodbury, MN 55129
(651) 436-6071

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(PTO TRANSMITTAL - GENERAL)



N 09/870,055

PATENT

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By:

Paul W. Meyer

Name:

PAUL W. MEYER

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b)(3))

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

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Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

BLACK DIAMOND GRANULES, INC.
499 Cottage Grove Drive
Woodbury, MN 55129
(651) 436-6071

Dated: DECEMBER 5, 2002

By: Paul W. Meyer
Paul W. Meyer